

**Senate File 2151 - Introduced**

SENATE FILE 2151

BY ANDERSON

**A BILL FOR**

1 An Act relating to rental of land within the right-of-way of a  
2 primary highway for farming purposes and providing for the  
3 allocation of resulting revenue to the primary road fund.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 313.70 Farming activity within  
2 highway right-of-way — rental agreements.

3 The department may permit vegetation to be baled or crops to  
4 be grown on land that is within the right-of-way of a primary  
5 highway if the department determines that the farming activity  
6 or the type of crop to be grown in proximity to the highway  
7 would not create a safety hazard for motorists or for persons  
8 involved in the farming activity and that the activity would be  
9 conducted in compliance with section 314.17. The department  
10 may enter into a rental agreement with a private party for the  
11 use of the land. Moneys collected by the department from the  
12 rental of land pursuant to this section shall be deposited in  
13 the primary road fund.

14 EXPLANATION

15 This bill allows the department of transportation to  
16 allow vegetation to be baled or crops to be grown within the  
17 right-of-way of a primary highway if the department determines  
18 that the farming activity or the type of crop to be planted  
19 in proximity to the highway would not present a safety hazard  
20 and that the activity would be conducted in compliance with  
21 current restrictions on the mowing of roadside vegetation. The  
22 department is authorized to collect rent for the use of the  
23 land within the right-of-way. Proceeds from the rental of land  
24 for farming shall be deposited in the primary road fund.